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Attorneys for Plaintiff
SERVER TECHNOLOGY, INC.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SERVER TECHNOLOGY, INC. (a Nevada)
corporation),)
)
Plaintiff,)
)
vs.)
)
)
AMERICAN POWER CONVERSION)
CORPORATION (a Massachusetts)
corporation),)
)
Defendant.)
)

Case No.: 3:06-CV-_____

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY DEMAND

Plaintiff Server Technology, Inc., as and for its Complaint, alleges as follows against
Defendant American Power Conversion Corporation.

JURISDICTION

1
2 1. This is an action for patent infringement arising under the patent laws of the
3 United States, Title 35 of the United States Code. Accordingly, the Court has jurisdiction over
4 this matter pursuant to 28 U.S.C. §§ 1331 and 1338(a).

PARTIES

5
6 2. Plaintiff Server Technology, Inc. (“Server Technology” or “Plaintiff”) is a
7 Nevada corporation having its principal place of business at 1040 Sandhill Drive, Reno, Nevada
8 89521.

9 3. Defendant American Power Conversion Corporation (“APC” or “Defendant”) is a
10 Massachusetts corporation having its principal place of business at 132 Fairgrounds Road, West
11 Kingston, Rhode Island 02892. APC is doing business within the District of Nevada.

GENERAL ALLEGATIONS

12
13 4. Server Technology is a leader in innovative power management solutions. It
14 designs and manufactures products relating to computerized data center power management,
15 including, among others, intelligent power distribution systems.

16 5. Server Technology is the owner of United States Patent No. 7,043,543 B2 (“the
17 ’543 patent”), entitled “VERTICAL-MOUNT ELECTRICAL POWER DISTRIBUTION
18 PLUGSTRIP,” which issued on May 9, 2006. A true and correct copy of the ’543 patent is
19 attached hereto as Exhibit A.

20 6. Server Technology is the owner of United States Patent No. 7,099,934 B1 (“the
21 ’934 patent”), entitled “NETWORK-CONNECTING POWER MANAGER FOR REMOTE
22 APPLIANCES,” which issued on August 29, 2006. A true and correct copy of the ’934 patent is
23 attached hereto as Exhibit B.

24 7. The ’543 and ’934 patents are referred to herein as the “Server Technology
25 Patents.”
26

1 8. Server Technology marks its products with the numbers of the Server Technology
2 Patents in accordance with 35 U.S.C. § 287.

3 9. APC makes and sells computerized data center power management devices,
4 power distribution products, and other network infrastructure and network power management
5 products and systems.

6 **FIRST CAUSE OF ACTION**

7 **(Infringement of the '543 patent)**

8 10. Plaintiff incorporates and re-alleges paragraphs 1 to 9 as if fully set forth herein.

9 11. APC has infringed and is infringing the '543 patent by manufacturing, using,
10 offering to sell, or selling, within the United States, and/or by importing into the United States,
11 products, including but not limited to its "Switched Rack PDU" devices, in violation of 35
12 U.S.C. § 271(a).

13 12. On information and belief, APC has infringed and is infringing the '543 patent by
14 inducing and/or contributing to infringement in violation of 35 U.S.C. § 271(b) and/or § 271(c).

15 13. On information and belief, APC either was aware of the '543 patent or became
16 aware of the '543 patent as a result of its review of this Complaint.

17 14. APC's infringing acts have caused damage to Server Technology.

18 15. APC will continue to infringe the '543 patent unless preliminarily and
19 permanently enjoined by this Court. As a result of APC's infringing conduct, Server Technology
20 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy
21 at law. Accordingly, Server Technology is entitled to preliminary and permanent injunctive
22 relief against such infringement pursuant to 35 U.S.C. § 283.

23 **SECOND CAUSE OF ACTION**

24 **(Infringement of the '934 patent)**

25 16. Plaintiff incorporates and re-alleges paragraphs 1 to 15 as if fully set forth herein.
26

1 Plaintiff demands trial by jury.

2
3 Dated this 18th day of December, 2006.

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5 KLARQUIST SPARKMAN, LLP

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